

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DAVID KATTAN,

Civil Action No.:

Plaintiff,
-against-
MRS ASSOCIATES, INC.

COMPLAINT

DEMAND FOR JURY TRIAL
Defendant(s). -----X

Plaintiff DAVID KATTAN, (“Plaintiff”), by and through his attorneys, Law Office of Alan J. Sasson, P.C., as and for its Complaint against the Defendant MRS ASSOCIATES, INC., hereinafter referred to as Defendant(s)”, respectfully sets forth, complains and alleges, upon information and belief, the following:

INTRODUCTION/PRELIMINARY STATEMENT

1. Plaintiffs bring this action on his own behalf for damages and declaratory and injunctive relief arising from the Defendant’s violation(s) of §1692 et seq. of Title 15 of the United States Code, commonly referred to as the Fair Debt Collections Practices Act (“FDCPA”).

PARTIES

2. Plaintiff is a resident of the State of New York, residing at 1936 East 8th Street. Brooklyn, NY 11223

3. Defendant MRS ASSOCIATES, INC., is a New Jersey corporation with their main office at 1930 Olney Avenue, Cherry Hill, NY 08003.

4. MRS ASSOCIATES, INC. is a “debt collector” as the phrase is defined and used in

the FDCPA under 15 USC §1692a(6).

JURISDICTION AND VENUE

5. The Court has jurisdiction over this matter pursuant to 28 USC §1331, as well as 15 USC §1692 et seq. and 28 U.S.C. §2201. If applicable, the Court also has pendent jurisdiction over the state law claims in this action pursuant to 28 U.S.C. §1367(a).

6. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)(2).

FACTUAL ALLEGATIONS

7. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered “1” through “6” herein with the same force and effect as if the same were set forth at length herein.

8. Upon information and belief, Defendant, on behalf of a third-party or itself as purchaser of the debt, began collecting an alleged consumer debt.

9. Upon information and belief, and better known to the Defendant, the Defendant began its collection efforts and campaign of communicating with the Plaintiff from approximately April 2012 by calling the Plaintiff to his business phone number of 917-655-5253 and looking for an individual named Abir Nedin.

10. The Plaintiff continually informed the Defendant that the phone belonged to him and that he did not know anyone by the name of Abir Nedin and requested the Defendant please stop calling.

11. The Defendant continually assured the Plaintiff that they would stop calling but nonetheless continued to call the Plaintiff looking for Abir Nedin.

12. The Defendant violated 15 USC §1692d-preface by harassing the Plaintiff after he had

informed the Defendant that the phone they were calling belonged to the Plaintiff, that he did not know the alleged debtor, and that the Defendant should stop calling.

FIRST CAUSE OF ACTION
(Violations of the FDCPA)

13. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered "1" through "12" herein with the same force and effect as if the same were set forth at length herein.

14. Defendant's debt collection efforts attempted and/or directed towards the Plaintiff violated various provisions of the FDCPA, including but not limited to 15 USC §1692d- preface.

15. As a result of Defendant's violations of the FDCPA, the Plaintiff has been damaged and is entitled to damages in accordance with the FDCPA.

DEMAND FOR TRIAL BY JURY

16. Plaintiff DAVID KATTAN hereby respectfully requests a trial by jury for all claims and issues in its Complaint to which it is or may be entitled to a jury trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff DAVID KATTAN demands judgment from the Defendant MRS ASSOCIATES, INC., as follows:

- A. For actual damages provided and pursuant to 15 USC §1692k(a)(1);
- B. For statutory damages provided and pursuant to 15 USC §1692k(2)(A);
- C. For statutory damages provided and pursuant to 15 USC §1692k(2)(B);
- D. For attorneys' fees and costs provided and pursuant to 15 USC §1692k(a)(3);
- E. A declaration that the Defendant's practices violated the FDCPA;
- F. For any such other and further relief, as well as further costs, expenses and

disbursements of this action, as this Court may deem just and proper.

Dated: November 23, 2012
Brooklyn, New York

Respectfully submitted,

By: s/ Alan J. Sasson
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